

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: **SINGH et al.**

Appln No.: **10/082,010** Examiner: **ANGADI, Maki A.**

Date Filed: **February 22, 2002** Group: **1765**

For: **SLURRY AND METHOD FOR CHEMICAL MECHANICAL POLISHING
OF METAL STRUCTURES INCLUDING REFRACTORY METAL
BASED BARRIER LAYERS**

CORRESPONDENCE RE: FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Correspondence is in responsive to the Final Office Action mailed April 9, 2008 (hereinafter "Office Action"). In the Office Action, claims 1-4, 6, 8, 10, 17, 19-26, 29-30, 32-35, 37 and 72-76 were pending. The Office Action indicated that claims 1-6, 8-10, 17, 19-26, 29, 32-35, 37 and 72-74 were pending. Applicants note that claims 75-76 are not addressed by the Office Action. Claims 75-76 are drawn to "nanoporous comprising particles comprise at least one material selected from the group consisting of silica, zirconia, yttria, titania, silicon nitride, silicon carbide."

In the Reply filed January 29, 2007, Applicants indicated that they believed that new claims 75 & 76 are drawn to independently patentable subject matter. These claims are drawn to particles that comprise a material selected from a Markush group that does not include alumina. Each of the cited references are drawn to alumina particles and neither disclose nor suggest

nanoporous nanoparticles formed using the materials enumerated in this Markush group. Accordingly, Applicants believe that claims 75 & 76 are drawn to independently patentable subject matter.

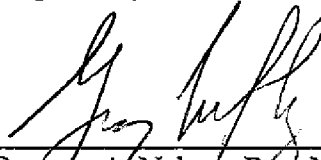
Summary of Examiner Interview

On May 28, 2008, Applicants' counsel, the undersigned Greg Lefkowitz, contacted Examiner Angadi and explained the situation outlined above. It was agreed that Examiner Angadi would issue a replacement Office Action that addressed all pending claims, including claims 75-76, and reset the period for response.

Conclusion

As agreed with Examiner Angadi, Applicants respectfully request that the Examiner issue a new Office Action addressing all pending claims and resetting the period for reply. Applicants request that the Examiner call the undersigned Greg Lefkowitz (direct-line 561-671-3624) if anything further is required by the Examiner prior to issuance of a replacement Office Action.

Respectfully submitted,



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Date: June 9, 2008

Docket No. 5853-224